

(1) Petition for Approval of Court Supervised Settlement Agreement, and for (2)
 Final Distribution

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|----------------------|----------------------|---|---|
| DOD: 6/2/2003 | | CHARLES DUANE MARTIN , Successor Administrator, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: 1. Order exonerates the bond for Charles Duane Martin. Bond cannot be exonerated until all receipts on distribution are filed and an Ex Parte Petition for Final Discharge and Order has been signed. 2. Order exonerates the bond for Maria Elena Martin. Bond cannot be exonerated until all receipts on distribution are filed and an Ex Parte Petition for Final Discharge and Order has been signed. 3. Order releases the funds in the blocked account to the Picone & Defilippis Law Office Trust Account. The funds should be released directly to the parties who are receiving the funds. 4. Order does not comply with Local Rule 7.6.1.A, 7.6.1B, 7.6.1c and 7.6.1E. Need new order. 5. A Request for Special Notice was filed by Steven Diebert on 9/10/12. |
| | | Accounting is waived. | |
| | | | |
| Cont. from | | I & A - \$86,900.00 | |
| | Aff.Sub.Wit. | POH - \$97,670.07 | |
| ✓ | Verified | Administrator - Waives | |
| ✓ | Inventory | Attorney (Raymsyer)- Waives (fees paid pursuant to a prior separate contract relating to the protection and recovery of the parties' beneficial interest in the estate.) | |
| ✓ | PTC | | |
| ✓ | Not.Cred. | | |
| ✓ | Notice of Hrg | | |
| ✓ | Aff.Mail | Attorney (Kharazi) - \$1,625.00 (per settlement agreement) | |
| | Aff.Pub. | | |
| | Sp.Ntc. | Petitioner states there is one remaining personal property issue to be resolved. Mr. H. Ty Kharazi is in the possession of Decedent Charles George Martin's burial flag from the U.S. Navy. Petitioner submits that pursuant to the parties' agreement in which Maria Martin has released her interest in the estate, this flag should be turned over to Charles Martin and Dawn Salcedo. Maria Martin maintains that the flag was presented to her at the funeral as the surviving spouse, that it is separate property, and that she should have the flag. | |
| | Pers.Serv. | The parties have agreed to submit the matter to the Court's discretion and jointly request that the Court summarily decide the matter in its ruling on this petition. | |
| | Conf. Screen | Distribution, pursuant to Settlement Agreement is to: | |
| ✓ | Letters | 10/26/03 | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| ✓ | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | N/A | |
| | | Charles Duane Martin - \$48,022.54 | |
| | | Dawn Salcedo - \$48,022.54 | |
| | | | Reviewed by: KT Reviewed on: 9/14/12 Updates: Recommendation: File 1 - Martin |

(1) First and Final Account and Report of Special Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and (3) for Distribution

| | | | |
|-------------------------------------|----------------------|---|---|
| DOD: 1-1-2000 | | PUBLIC ADMINISTRATOR , Special Administrator, is Petitioner. Account period: 3-27-12 through 6-6-12 Accounting: \$50,100.00 Beginning POH: \$45,000.00 Ending POH: \$45,963.69 (cash) Public Administrator (Statutory): \$2,004.00 Public Administrator (Extraordinary): \$1,248.00 (for sale of real property per Local rule and preparation of tax returns (1 Deputy hour @ \$96/hr and 2 Staff hours @ \$76/hr) Attorney (Statutory): \$2,004.00 Bond fee: \$31.31 (ok) Costs: \$446.00 (filing, certified copies) Distribution pursuant to intestate succession: Arthur Polin, Jr.: \$6,705.07 Anthony Polin, Sr.: \$6,705.07 David G. Polin: \$6,705.06 Beatrice Valdez: \$6,705.06 Josephine Bourbon: \$6,705.06 Anthony Aldama: \$6,705.06 | NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED TO 10-25-12</u> Per request of County Counsel 1. Petitioner requests payment of the entire amount of the statutory fees to Public Administrator and County Counsel; however, Examiner notes that the former Administrator and former attorney may be entitled to a portion of the fees. The Court may require clarification and/or notice to Attorney John Barrus. 2. Heirs David Polin and Anthony Polin, Sr., previously filed Assignments of Interest for a portion of their shares (\$1,000.00 each) to "Ken and Albeza Kemmerrer." This petition does not appear to reference these assignments. Need clarification or withdrawals of the assignments. 3. Need Order. |
| Cont. from 081612 | | | |
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| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input checked="" type="checkbox"/> | 9202 | | |
| <input type="checkbox"/> | Order X | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input checked="" type="checkbox"/> | FTB Notice | | |

(1) First and Final Report of Executor on Waiver of Account and (2) Petition for Allowance of Statutory Attorneys' Fees and Executor's Commission, (3) for Withholding of Closing Cost Reserve, and (4) for Final Distribution [Prob. C. 1060 et seq., 10800, 10810, 10811, 10951, 10954, 12200]

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| | Citation | | |
| | FTB Notice | | |
| | | Continued to 10/11/12 at the request of the attorney. | |
| | | Reviewed by: KT | |
| | | Reviewed on: 9/14/12 | |
| | | Updates: | |
| | | Recommendation: | |
| | | File 3 - Picard | |

(1) First and Final Report of Executor on Waiver of Account and (2) Petition for Allowance of Statutory Attorneys' Fees and Executor's Commission, (3) for Withholding of Closing Cost Reserve, and (4) for Final Distribution [Prob. C. 1060 et seq., 10800, 10810, 10811, 10951, 10954, 12200]

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| | UCCJEA | | | |
| | Citation | | | |
| | FTB Notice | | | |
| | | | | Continued to 10/11/12 at the request of the attorney. |
| | | | | Reviewed by: KT |
| | | Reviewed on: 9/14/12 | | |
| | | Updates: | | |
| | | Recommendation: | | |
| | | File 4 - Picard | | |

(1) First and Final Account and Report of Administrator and Petition for Its Settlement, and (2) Petition for Final Distribution, (3) for Allowance of Compensation to Attorneys for Ordinary Services (Prob. C. 10800, 10810, 10954, and 11660)

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|----------------------------------|---------------|---|---|----------|
| DOD: 2-27-11 | | <p>GARY GONZALES, Son and Administrator with Will Annexed with Limited IAEA without bond, is Petitioner.</p> <p>Accounting is waived.</p> <p>I&A: \$168,113.31 POH: \$168,113.31 (\$28,113.31 cash plus real property)</p> <p>Administrator: Waived</p> <p>Attorney (Statutory): \$6,043.40</p> <p>Costs: \$885.00 (filing, publication, probate referee)</p> <p>Distribution pursuant to Decedent's will:</p> <p>Rosemarie Ann Knight, Gregory Gonzales, Gary Gonzales, and Paul Dwayne Gonzales: 25% interest each in real property and residue of estate</p> <p>Michael A. Brooks, Thomas L. Brooks, Jonathan J. Brooks, Jennifer L. Gonzales, Anna K. Gonzales, Kara M. Gonzales, Jessica Gonzales and Nicholas Gonzales: A 1/8 interest in all remaining funds left up to \$5,000.00 each.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 7-5-12, 8-16-12.</u></p> <p><u>Minute Order 8-16-12:</u> As to Item #2 in the Examiner Notes, counsel informs the Court that there is no assignment. The Court directs counsel to submit a declaration addressing Items #2 and #3 in the Examiner Notes. In addition, counsel is to include the appropriate Probate Code regarding named/unnamed heirs. Continued to 9/20/12.</p> <p><u>The following issue remains:</u></p> <p>1. Decedent's holographic will, admitted to probate on 10-12-11, directs the house be sold and proceeds divided among her four children. It then states that she wants \$5,000 to go to each of her listed grandchildren (8 total).</p> <p><u>The original petition</u> at #8 listed two additional minor grandchildren that appear to have been born after the will was written.</p> <p><u>This petition</u> at #28 states the <u>intestate</u> heirs are listed, which infers that the list would include the two additional minor grandchildren; however, they are not included.</p> <p><u>This petition</u> then requests distribution of the house in undivided interests, and division of the remaining cash among only the grandchildren listed in the will (all adults).</p> <p>The Court may require clarification as to omission of the two minor grandchildren.</p> <p><u>See Page 2 re Declaration.</u></p> <p>2. Need order.</p> | |
| Cont. from 070512, 081612 | | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | | |
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| | CI Report | | | |
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| | Aff. Posting | | | |
| | Status Rpt | | | |
| | UCCJEA | | | |
| | Citation | | | |
| ✓ | FTB Notice | | | |
| | | <p>Reviewed by: skc</p> <p>Reviewed on: 9-14-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 - Gonzales</p> | | |

Declaration of Attorney Walters filed 9-18-12 states that pursuant to the decedent's valid will, the proper beneficiaries were named and no intestate heirs would inherit pursuant to intestacy.

As to the omission of the two minor grandchildren, Attorney Walters has not found any information pursuant to Probate Code or case law that would require distribution of beneficial interest to these children. Although there may be an argument pursuant to the language that all of the decedent's grandchildren receive \$5,000.00 as a class gift under the will, case law provides a different conclusion (see cite).

In the present situation, the will states the grandchildren (names listed) are to receive a specific gift. The two additional grandchildren were not named in the will. Although they were born after the will was drafted, both were born before Decedent's passing. There is no information that the decedent wished to include them.

Additionally, these minors' parent is a beneficiary, has received noticed, and has waived further accounting. Pursuant to the above information, and no objections received, Attorney Walters requests the Court grant the petition.

Petition for Settlement of First Account and Report of Trustee (Prob. C. 16062 and 17200)

| | | | |
|--------------------------------------|---------------|--|--------------------------|
| Lyle E. Schafer DOD: 8-20-10 | | JANICE BRANUM, Trustee, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| Jean M. Schafer Resigned: 9-22-11 | | | |
| | | Account period: 12-30-10 through 12-30-11 | 1. Need order. |
| | | Accounting: \$2,699,860.31 | |
| | | Beginning POH: \$2,628,394.94 | |
| | | Ending POH: \$2,363,349.19 | |
| | | (Market Value of POH: \$2,418,350.19) | |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | Trustee Fee: \$15,000.00 | |
| | Inventory | (Paid during account period) | |
| | PTC | (Trustee fee to then-Co-Trustee Jean M. Schafer was waived.) | |
| | Not.Cred. | | |
| ✓ | Notice of Hrg | Petitioner states the LYLE E. SCHAFER | |
| ✓ | Aff.Mail | DECEDENT'S TRUST was created under the | |
| | Aff.Pub. | SCHAFER FAMILY TRUST and was funded 12- | |
| | Sp.Ntc. | 30-10, after a four month administrative | |
| | Pers.Serv. | period. This account covers the period | |
| | Conf. Screen | beginning 12-30-10 (the funding date). | |
| | Letters | Petitioner states that during the four month | |
| | Duties/Supp | administrative period between the date of | |
| | Objections | death and the date of funding, the market | |
| | Video Receipt | value of the assets allocated to the | |
| | CI Report | Decedent's Trust increased by approx. | |
| | 9202 | \$90,000.00 (Schedule provided). | |
| | Order | Petitioner prays for an order that: | |
| | Aff. Posting | 1. The account and report of petitioner be | |
| | Status Rpt | settled, allowed and approved as | |
| | UCCJEA | rendered; and | |
| | Citation | 2. Such further relief as the court deems | |
| | FTB Notice | proper. | |
| | | | Reviewed by: skc |
| | | | Reviewed on: 9-14-12 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 6 - Schafer |

Petition to Compel Co-Trustee Duane Alan Lamm to File Report and Account After Written Request; to Remove Duane Alan Lamm as a Co-Trustee; to Redress Breaches of the Trust by Duane Alan Lamm; to Divide and Distribute the Trust Estate; and to Terminate the Trust [Prob. C. 15642 & 17200 et seq.]

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Alex Lamm DOD: 11-17-90 | | ALLENE JOYCE LAMM O'NEAL , Co-Trustee, is Petitioner and states: <ul style="list-style-type: none"> Trustors Alex and Lillian created the Alex and Lillian Lamm Living Trust (the "Trust") on 3-11-88. The Trust was amended and restated on 9-21-90. Alex died on 11-17-90, causing the trust to be divided among the Alex Lamm By-Pass Trust, the Alex Lamm Marital Trust, and the Lillian G. Lamm Survivor's Trust, which remained revocable. The Survivor's Trust was amended twice: on 6-7-04 and 2-17-05. Lillian died on 11-19-06. For purposes of this petition, "Trust" refers to all three trusts collectively. | NEEDS/PROBLEMS/COMMENTS: 1. Petitioner provides at #21 <u>parties having an interest in the trust</u> ; however, pursuant to Probate Code §§ 17201 and 17203(b), the Court may require clarification regarding <u>whether there may be any other person whose right, title, or interest would be affected by the petition</u> . Examiner notes that the petition mentions trust assets including commercial real property leased to Chase Bank; Al Lamm Ranch, Inc., a corporation; that interest in certain assets is partly held by Duane's former spouse Linda Lamm; and alleges Duane is using assets for his personal farming operations, but it is unknown if such personal farming operations are a business entity or how they are related to the assets, property, or business. The petition also mentions a lease to Rio Vista Limited Partnership. <u>Are any parties connected to these or other assets or businesses entitled to notice of this petition pursuant to Probate Code §17203(b)?</u> 2. The proposed order includes a blank for a surcharge amount to be filled in for attorney's fees. The Court may require clarification and further documentation regarding the amount requested. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lillian Lamm DOD: 11-19-06 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"> <tr><td></td><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td>✓</td><td>Verified</td><td></td></tr> <tr><td></td><td>Inventory</td><td></td></tr> <tr><td></td><td>PTC</td><td></td></tr> <tr><td></td><td>Not.Cred.</td><td></td></tr> <tr><td>✓</td><td>Notice of Hrg</td><td></td></tr> <tr><td>✓</td><td>Aff.Mail</td><td>W</td></tr> <tr><td></td><td>Aff.Pub.</td><td></td></tr> <tr><td></td><td>Sp.Ntc.</td><td></td></tr> <tr><td></td><td>Pers.Serv.</td><td></td></tr> <tr><td></td><td>Conf. Screen</td><td></td></tr> <tr><td></td><td>Letters</td><td></td></tr> <tr><td></td><td>Duties/Supp</td><td></td></tr> <tr><td></td><td>Objections</td><td></td></tr> <tr><td></td><td>Video Receipt</td><td></td></tr> <tr><td></td><td>CI Report</td><td></td></tr> <tr><td></td><td>9202</td><td></td></tr> <tr><td>✓</td><td>Order</td><td></td></tr> <tr><td></td><td>Aff. Posting</td><td></td></tr> <tr><td></td><td>Status Rpt</td><td></td></tr> <tr><td></td><td>UCCJEA</td><td></td></tr> <tr><td></td><td>Citation</td><td></td></tr> <tr><td></td><td>FTB Notice</td><td></td></tr> </table> | | | Aff.Sub.Wit. | | ✓ | Verified | | | Inventory | | | PTC | | | Not.Cred. | | ✓ | Notice of Hrg | | ✓ | Aff.Mail | W | | Aff.Pub. | | | Sp.Ntc. | | | Pers.Serv. | | | Conf. Screen | | | Letters | | | Duties/Supp | | | Objections | | | Video Receipt | | | CI Report | | | 9202 | | ✓ | Order | | | Aff. Posting | | | Status Rpt | | | UCCJEA | | | Citation | | | FTB Notice | | <p>Petitioner states the Trust provides that she and her brother DUANE ALAN LAMM were to become co-trustees on the death of the Trustors; however, since Lillian's death, Duane has asserted exclusive control over most of the assets of the Trust.</p> <p>The Trust as amended provides that the Marital Trust and the By-Pass Trust are to terminate and be distributed to Duane and Allene in equal shares immediately following Lillian's death.</p> <p>The Survivor's Trust as amended provides that the Survivor's Trust is to terminate at Lillian's death and is to be distributed as follows:</p> <ul style="list-style-type: none"> To BLAKE LAMM (Trustors' grandson) a fractional portion (56.64%) of the Survivor Trust's ownership interest (45.56%) in certain real property in Reedley consisting of approx. 76 acres; and To DUANE and ALLENE, the residue of the Survivor's Trust estate, in equal shares, which includes that the share apportioned to ALLENE is to include a certain residence ("Allene's Residence") and that the share apportioned to DUANE is to include the Trustors' residence, without affecting the equality of the shares. |
| | Aff.Sub.Wit. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| | Video Receipt | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| | Status Rpt | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | UCCJEA | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Citation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | FTB Notice | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SEE ADDITIONAL PAGES | | <table border="1"> <tr><td>Reviewed by: skc</td></tr> <tr><td>Reviewed on: 9-14-12</td></tr> <tr><td>Updates:</td></tr> <tr><td>Recommendation:</td></tr> <tr><td>File 7 - Lamm</td></tr> </table> | Reviewed by: skc | Reviewed on: 9-14-12 | Updates: | Recommendation: | File 7 - Lamm | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Reviewed by: skc | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Reviewed on: 9-14-12 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Updates: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Recommendation: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| File 7 - Lamm | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Page 2

Petitioner states:

- The Trust Estate includes real estate, corporate stock, gemstones and cash, including an undivided 75% ownership interest as tenant in common in certain commercial real property consisting of an office building (the "commercial building") in Reedley, which is leased to Chase Bank. (The other 25% is owned by Duane's former spouse, Linda W. Lamm.)
- Petitioner states that since Lillian's death, Duane has been and continues to collect all rent from the Commercial Building personally and deposits same into his bank account without Allene's consent and in breach of the terms of the Trust.
- The Trust Estate also includes gemstones and precious metals, including specified items, and a Wells Fargo checking account, which is under Duane's exclusive control in breach of the terms of the Trust.
- The Trust Estate also includes 55% of the issued and outstanding common stock of Al Lamm Ranch, Inc., a California corporation. Allene and Duane each own 22.5%. Petitioner states Duane possesses and controls all of the assets of the Corporation and uses those assets for the exclusive benefit of his personal farming operations to the detriment of the Corporation and its majority owner, the Trust.
- The 76 acres of farmland (the "Home Ranch") located in Reedley is owned by the Trust and leased to Rio Vista Limited Partnership under a lease dated 10-1-05 that expires 9-30-20. Petitioner states all rent from the Home Ranch has been and continues to be collected by Duane and deposited in his personal accounts over which he has exclusive control. Duane has not provided Allene with any accounting nor made any distributions of such rental income to Allene in breach of the Trust.

Examiner's Note: It is unclear if this is the same 76 acres as is specified in the devise to Blake Lamm, since the devise indicates that the Trust owns only a partial interest of 45.56%, but this section of the petition indicates that the Trust owns this real property. The Court may require clarification.

- Petitioner states that at Lillian's death, Duane unilaterally assumed the primary duties of administering the Trust Estate, and appointed himself as the Trust decision maker and used his knowledge of the family holdings to single-handedly control the management of the Trust Estate while excluding Allene as a trustee in violation of Probate Code § 15620, which requires unanimous consent of co-trustees for action. Specifically, Petitioner states Duane has insisted on exercising exclusive control over the Commercial Building, Home Ranch and Corporation because those assets provide him with his primary source of income. Duane also holds physical possession of the specified gemstones and precious metals.
- Petitioner states she formally demanded an accounting and proposed division and distribution of the Trust Estate in a letter to Duane's attorney Mark Poochigian on 5-17-12, which letter has been ignored. Duane appears reticent in providing a full and complete disclosure of this acts and proceedings involving the Trust and has been less than forthcoming in his response to Allene's requests for information. Because of Duane's refusal to provide information and his exclusive control over the assets, including all bank accounts, for over five years, Duane should be directed to file full accounting.
- Petitioner states Duane has committed numerous breaches of trust by collecting all rents in connection with the Commercial Building and Home Ranch and depositing them into his personal accounts. By doing so, he has converted assets – a clear breach of trust.
- Duane has personally benefitted from his exclusive control and use of the equipment owned by the Corporation, the controlling shares of which are owned by the Trust. Neither the Corporation nor the Trust has received any benefit from Duane's personal use of such equipment.
- Petitioner further alleges that Duane has taken unauthorized withdrawals of cash from the Trust – another clear breach of the Trust and Probate Code § 15620 – without her consent, and no equalizing distributions have been made to Petitioner.

SEE ADDITIONAL PAGES

Page 3

- Finally, Duane has refused for well over five years to cooperate with Petitioner in division and distribution of the Trust Estate to the beneficiaries notwithstanding the terms of the Trust which require termination and immediate division and distribution following Lillian's death.
- Probate Code § 15642 empowers this Court to remove a trustee who has committed a breach or whose hostility or lack of cooperation with the other co-trustees impairs the administration of the Trust. Redress should also include removal of Duane as a co-trustee for his conversion of assets, unauthorized withdrawals, and refusal to cooperate. Such redress will allow Petitioner as the sole trustee to complete the necessary division and distribution as required by the express terms of the Trust.
- Redress should also include attorneys' fees and legal costs, as Petitioner has been forced to take extreme measures to compel Duane to carry out his fiduciary duties. Section 1 (f) of the Trust allows the trustee to employ attorneys on behalf of the trust to assist in carrying out her duties. Petitioner, in carrying out her duties, has been required to retain counsel and incur legal costs to compel Duane to carry out his duties. Such fees and costs should be surcharged against Duane's beneficial interest in an amount according to proof.
- The Trust was to terminate on Lillian's death, which was over five years ago. Duane has refused to cooperate with Allene in dividing and distributing the Trust Estate to beneficiaries in accordance with the express terms of the Trust. Under Probate Code §§ 17200(b)(13) and (14), this Court has the authority and should order termination and distribution.

Petitioner requests the Court Order:

- **That Duane be directed to prepare and file within 30 days an account of the Trust from Lillian's death (11-19-06) through present, accompanied by a schedule of property, current market value, and all liabilities of the Trust;**
- **That Duane be compelled to restore to the Trust all Trust assets that he has converted for his personal use and benefit;**
- **That Duane be compelled to either return to the Trust all unauthorized cash advances that he has taken from the Trust Estate as described, plus interest at the max. legal rate, or in the alternative, be compelled to cause the Trust to make an equalizing distribution to Allene, plus interest;**
- **That Duane be removed as a co-trustee of the Trust;**
- **Directing that the Trust be terminated and the Trust Estate be divided and distributed to the Trust beneficiaries in accordance with the express terms of the Trust;**
- **For attorneys' fees and legal costs incurred by Petitioner in connection with this Petition to be surcharged against Duane's share of the Trust Estate; and**
- **For such other and further orders and relief as the Court may deem appropriate.**

| | | | | | | |
|----------------------------|---------------|--|--|--|--|--|
| Age: 24 DOB: 07/19/1988 | | NO TEMPORARY ORDERS | | NEEDS/PROBLEMS/COMMENTS: | | |
| | | ROBERT Shuman & KATHY SHUMAN , parents, are petitioners and request appointment as conservator of the person with medical consent powers. | | Court Investigator Advised Rights on 09/08/2012 | | |
| | | | | | | |
| | | Declaration of Michael S. Stubblefield, M.D., 08/02/2012, supports request for medical consent powers. | | Voting Rights Affected Need Minute Order | | |
| | | | | | | |
| Cont. from | | Declaration of Michael S. Stubblefield, M.D., 08/02/2012, supports request for medical consent powers. | | | | |
| | | | | | | |
| | Aff.Sub.Wit. | Declaration of Michael S. Stubblefield, M.D., 08/02/2012, supports request for medical consent powers. | | | | |
| ✓ | Verified | | | | | |
| | Inventory | Voting rights affected. | | | | |
| | PTC | | | | | |
| | Not.Cred. | Petitioner states: proposed conservatee is profoundly retarded and spastic quadriplegic (cerebral palsy). The proposed conservatee has emphysema and scoliosis. | | | | |
| ✓ | Notice of Hrg | | | | | |
| ✓ | Aff.Mail | w/ | Court Investigator Samantha Henson report filed 09/13/2012. | | | |
| | Aff.Pub. | | | | | |
| | Sp.Ntc. | | | | | |
| ✓ | Pers.Serv. | w/ | | | | |
| ✓ | Conf. Screen | | | | | |
| ✓ | Letters | | | | | |
| ✓ | Duties/Supp | | | | | |
| | Objections | | | | | |
| ✓ | Video Receipt | | | | | |
| ✓ | CI Report | | | | | |
| | 9202 | | | | | |
| ✓ | Order | | | | | |
| | Aff. Posting | | | | | |
| | Status Rpt | | | | | |
| | UCCJEA | | | | | |
| ✓ | Citation | | | | | |
| | FTB Notice | | | | | |
| | | | | | | |
| | | | Reviewed by: KT / LV | | | |
| | | | Reviewed on: 09/18/2012 | | | |
| | | | Updates: | | | |
| | | | Recommendation: | | | |
| | | | File 8 - Shuman | | | |

Atty Bagdasarian, Gary G., sole practitioner (for Guardian Teresa Lynn Hannon)

Status Hearing Re: Filing of the Inventory and Appraisal

| | | | |
|-------------------------------------|----------------------|---|--|
| Age: 2 years | | <p>TERESA LYNN HANNON, mother, was appointed Guardian of the Estate on 5/17/2012.</p> <p>Order Appointing Guardian signed 5/17/2012 ordered all funds placed into a blocked account because the minor is a beneficiary of pay on death accounts and life insurance policies as a result of the death of her grandmother.</p> <p>Minute Order dated 5/17/2012 set status hearing on 9/20/2012 for status of filing the inventory and appraisal.</p> <p>Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account filed 6/19/2012 shows a blocked account balance of \$110,921.57. <i>First Amended Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account</i> filed 7/11/2012 shows a blocked account balance of \$110,933.72.</p> <p>Ex Parte Order to Deposit Funds into Blocked Account signed on 7/10/2012 ordered any and all monthly payments from SunAmerica Life Insurance Company, made until January 7, 2030, representing a gross total amount of \$118,697.24 to be placed into a blocked account.</p> <p>Ex Parte Order to Deposit funds into Blocked Account signed on 7/12/2012 ordered \$110,000.00 [to be moved from the Wells Fargo blocked account] and to be deposited into a blocked account with Wells Fargo Advisors, and <i>Order of Withdrawal of Funds</i> was signed 7/12/2012.</p> <p align="center">~Please see additional page~</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Page 10 of this calendar is the related case of this minor's sibling.</p> <p>Note: Page 12 of the 9/21/2012 calendar is the Status Hearing for filing of the Receipt of Funds in Blocked Account for this guardianship estate. The filing of the receipt of funds deposited into a blocked account should precede the filing of the inventory and appraisal in a guardianship estate.</p> <p>Note: Minute Order dated 8/10/2012 from the last status hearing states Counsel advises the Court that there may be a problem with the receipts as the account may not be FDIC insured; however, he has not received confirmation of this. He further advises that the receipt for SunAmerica has been filed. Status hearing for re: blocked account was set for 9/21/2012.</p> <ol style="list-style-type: none"> 1. Per the <i>Ex Parte Order Vacating Order for Withdrawal of Funds from Blocked Account</i> signed 8/27/2012, need receipt for funds of \$110,000.00 placed back into the blocked account at Wells Fargo.—See <i>Declaration of Gary G. Bagdasarian</i> filed 9/14/2012 noted on additional page. 2. Need <i>Final Inventory and Appraisal</i> pursuant to Probate Code § 2610.—<i>Filed 9/14/2012</i>. |
| | | | |
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| | | | |
| Cont. from | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input type="checkbox"/> | Verified | | |
| <input checked="" type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | Blocked Recpt | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input type="checkbox"/> | Notice of Hrg | | |
| <input type="checkbox"/> | Aff.Mail | | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input type="checkbox"/> | Letters | | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | <p>Reviewed by: LEG</p> <p>Reviewed on: 9/17/12</p> <p>Updates: 9/19/12</p> <p>Recommendation:</p> <p>File 9 - Hannon</p> | |

Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account filed 8/9/2012 shows a blocked account balance [following withdrawal of the \$110,000] of **\$2,669.42**.

Ex Parte Order Vacating Order for Withdrawal of Funds from Blocked Account signed on 8/27/2012 vacated the 7/12/2012 order to deposit funds into Wells Fargo Advisors, based upon the guardian having learned from Wells Fargo's refusal to sign the *Receipt and Acknowledgment* that the Wells Fargo Advisors account is not FDIC insured.

Note: Final Inventory and Appraisal filed 9/14/2012 shows a total estate value of **\$112,652.08**.

Declaration of Gary G. Bagdasarian Concerning Inventory and Appraisal – Final filed 9/14/2012 states:

- The *Inventory and Appraisal—Final* filed on 9/14/2012 reflects the following:
 - a. Wells Fargo Bank – an initial deposit of **\$300.00** was reflected by receipts filed 5/24/2012 and 6/19/2012, being the same initial **\$300.00** deposit and not two separate deposits; an additional deposit of **\$110,621.57** was reflected by receipt filed 7/11/2012; this results in a total of **\$110,921.57**;
 - b. SunAmerica Supplemental Contract account reflected on receipt filed 8/9/2012 shows a deposit of an initial sum of **\$1,730.51**, with deposits into the blocked account continuing until 1/7/2030.

Note: *Receipt and Acknowledgment* filed 8/9/2012 reflecting the initial deposit amount of **\$1,730.51** into the Wells Fargo account also indicates the present balance in the account is a total of **\$2,669.42**, which total is not reflected on the *Final Inventory and Appraisal* filed 9/14/2012 showing only a value of **\$1,730.51** in that account. Court may require an explanation regarding the **\$938.91** discrepancy between the receipt filed 8/9/2012 showing total funds of **\$2,669.42** in the account, and the *Final Inventory and Appraisal* showing a total value of **\$1,730.51** in the account.

| | | |
|---------------|--|---|
| Age: 5 years | TERESA LYNN HANNON, mother, was appointed Guardian of the Estate on 5/17/2012. | NEEDS/PROBLEMS/COMMENTS: |
| | | |
| | Order Appointing Guardian signed 5/17/2012 ordered all funds placed into a blocked account because the minor is a beneficiary of pay on death accounts and life insurance policies as a result of the death of his grandmother. | Note: Page 9 of this calendar is the related case of this minor's sibling. |
| | | |
| Cont. from | Ex Parte Order to Deposit Funds into Blocked Account signed on 7/10/2012 ordered any and all monthly payments from SunAmerica Life Insurance Company, made until January 7, 2030, representing a gross total amount of \$118,697.24 to be placed into a blocked account. | Note: Minute Order dated 5/17/2012 set this status hearing on 9/20/2012 for status of filing the inventory and appraisal. |
| Aff.Sub.Wit. | | |
| Verified | | Note: Court may information regarding the monthly payment amount that will be deposited into the minor's blocked account on a continuous basis. |
| Inventory | | |
| PTC | | 1. Need <i>Final Inventory and Appraisal</i> pursuant to Probate Code § 2610.—Filed 9/14/2012. |
| Not.Cred. | | |
| Notice of Hrg | | |
| Aff.Mail | | |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | <p>Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account filed 8/9/2012 shows a blocked account balance of \$3,728.79.</p> <p><i>Final Inventory and Appraisal</i> filed 9/14/2012 shows a total estate value of \$2,030.54.</p> <p>Declaration of Gary G. Bagdasarian Concerning Inventory and Appraisal – Final filed 9/14/2012 states:</p> <ul style="list-style-type: none"> The <i>Inventory and Appraisal—Final</i> filed on 9/14/2012 reflects the following: c. Wells Fargo Bank – an initial deposit of \$300.00 was reflected by receipts filed 5/24/2012 and 6/19/2012, being the same initial \$300.00 deposit and not two separate deposits; d. SunAmerica Supplemental Contract account reflected on receipt filed 8/9/2012 shows a deposit of an initial sum of \$1,730.51, with deposits into the blocked account continuing until 1/7/2030. <p>Note: <i>Receipt and Acknowledgment</i> filed 8/9/2012 reflecting the initial deposit amount of \$1,730.54 into the Wells Fargo account also indicates the present balance in the account is a total of \$3,728.79, which total is <u>not</u> reflected on the <i>Final Inventory and Appraisal</i> filed 9/14/2012 showing only a value of \$2,030.54 in that account. Court may require an explanation regarding the \$1,998.25 discrepancy between the receipt filed 8/9/2012 showing total funds of \$3,728.79 in the account, and the <i>Final Inventory and Appraisal</i> showing a total value of \$2,030.54 in the account.</p> | <p>Reviewed by: LEG</p> <p>Reviewed on: 9/17/12</p> <p>Updates: 9/19/12</p> <p>Recommendation:</p> <p>File 10 - Hannon</p> |

Motion to Enforce Judgment and Request for Over Night Visitations

| | | | |
|---------------|----------------------|---|---|
| Age: 8 | | LISA SANCHEZ and DANIEL G. RODRIGUEZ , parents, are Petitioners. | NEEDS/PROBLEMS/COMMENTS: |
| | | | |
| | | SARA LOPEZ , paternal cousin (first cousin to father Daniel G. Rodriguez), was appointed Guardian of Sean C. Rodriguez on 11-27-06. | 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on: - Sara Lopez (Guardian) |
| | | | |
| | Aff.Sub.Wit. | Paternal Grandfather: Daniel Rodriguez, Sr. - Deceased Paternal Grandmother: Sylvia Garcia Maternal Grandfather: Jorge Sanchez, Sr. Maternal Grandmother: Beverly Sanchez - Deceased | 3. The Court may also require service of Notice of Hearing on the following family members: - Sylvia Garcia (Paternal Grandmother) - Jorge Sanchez, Sr. (Maternal Grandfather) - Jacob Sanchez (sibling age 14) - Any other siblings age 12 or older |
| ✓ | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| | Notice of Hrg | X | |
| | Aff.Mail | X | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| | Order | X | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | <p>Petitioners state Sean has been in the care of Guardian Sara Lopez since 2005. On 11-9-11, the Court denied Petitioners' request to terminate the guardianship, but granted Petitioners' request for unsupervised visitation and counseling for the minor child.</p> <p>Petitioners now respectfully request that the Court help them in enforcing that order, wherein the Court ordered the guardian to obtain counseling for the minor child with a licensed child psychologist. All parties were ordered to be involved in counseling. Over the past eight months, the guardian has refused to communicate and cooperate with Petitioners as to counseling. They are left to believe that the guardian has failed to obtain counseling for the minor child, or has refused to inform the parents of any counseling, clearly not looking out for the best interest of the minor child.</p> <p>Petitioners have researched and obtained information on counselors and/or a referral agency and have provided three options. Petitioners respectfully request that the Court allow them to choose a counselor and set up the services and order the guardian to cooperate in ensuring the child attends said counseling, or alternatively that Petitioners be allowed to transport the child to/from the counseling.</p> <p>Petitioners continue to want to inform their son that they are his parents and are more than willing to work with the guardian and counselor to ensure that his emotional and mental health are being considered when doing so.</p> | Reviewed by: skc Reviewed on: 9-17-12 Updates: Recommendation: File 11 – Sanchez & Rodriguez |

Probate Status Hearing Re: Filing of First Account or Petition for Final Distribution

| | | |
|--------------------------|---------------|---|
| | | NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR. Account filed and set for hearing on 10/25/12. |
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| | | |
| | | |
| Cont. from | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | |
| <input type="checkbox"/> | Verified | |
| <input type="checkbox"/> | Inventory | |
| <input type="checkbox"/> | PTC | |
| <input type="checkbox"/> | Not.Cred. | |
| <input type="checkbox"/> | Notice of Hrg | |
| <input type="checkbox"/> | Aff.Mail | |
| <input type="checkbox"/> | Aff.Pub. | |
| <input type="checkbox"/> | Sp.Ntc. | |
| <input type="checkbox"/> | Pers.Serv. | |
| <input type="checkbox"/> | Conf. Screen | |
| <input type="checkbox"/> | Letters | |
| <input type="checkbox"/> | Duties/Supp | |
| <input type="checkbox"/> | Objections | |
| <input type="checkbox"/> | Video Receipt | |
| <input type="checkbox"/> | CI Report | |
| <input type="checkbox"/> | 9202 | |
| <input type="checkbox"/> | Order | |
| <input type="checkbox"/> | Aff. Posting | |
| <input type="checkbox"/> | Status Rpt | |
| <input type="checkbox"/> | UCCJEA | |
| <input type="checkbox"/> | Citation | |
| <input type="checkbox"/> | FTB Notice | |
| | | Reviewed by: KT |
| | | Reviewed on: 9/17/12 |
| | | Updates: |
| | | Recommendation: |
| | | File 12 - Martinusen |

Atty Agustus, Carolyn (Pro Per – Petitioner – Great Grandmother)

Amended Petition for Appointment of Guardian of the Person (Prob. C. 1510)

| | | |
|--|---|--|
| Age: 4 DOB: 10/04/2007 | TEMPORARY EXPIRES 09/20/2012 as to Jerimah Tahjai Dupree only. | NEEDS/PROBLEMS/COMMENTS: |
| Anthony Lee-Hunley Age: 4 months DOB: 05/08/2012 | | |
| Cont. from | CAROLYN AGUSTUS, Maternal Great Grandmother, is the petitioner. | Petitioner, Carolyn Agustus, was granted temporary guardian of Jerimah Lee on 06/13/2012. |
| Aff.Sub.Wit. | Father (of Jerimah): UNKNOWN , Court dispensed with notice per minute order dated 06/13/2012. | |
| ✓ Verified | Father (of Anthony): ANTOINE HUNLEY , personally served on 08/04/2012 | 1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Paternal Grandparents of Jerimah (Unknown) Paternal Grandparents of Anthony (Unknown) Atwan Lee (Maternal Grandfather) Phyllis Moore (Maternal Grandmother) |
| Inventory | Mother: TWANISHA LEE , consent and waiver of notice filed 05/31/2012 as to Jerimah Lee, personally served on 08/04/2012. | |
| PTC | Paternal Grandparents (of Jerimah): Unknown | |
| Not.Cred. | Paternal Grandparents (of Anthony): Unknown | |
| ✓ Notice of Hrg | Maternal Grandfather: Antwan Lee | |
| Aff.Mail | Maternal Grandmother: Phyllis Moore | |
| Aff.Pub. | Petitioner states: petitioner has had the youngest child for over 30 days, mother has not made any type of effort to come and get the child. Petitioner has had eldest child since birth. Petitioner feels that mother cannot provide a safe environment for the children. | |
| Sp.Ntc. | | |
| ✓ Pers.Serv. | | |
| ✓ Conf. Screen | | |
| Letters | | 2. UCCJEA filed 08/02/2012 does not provide the children's residence since birth as required. |
| ✓ Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| ✓ CI Report | | |
| 9202 | | |
| ✓ Order | Court Investigator Dina Calvillo's report filed 08/02/2012. | |
| Aff. Posting | | |
| Status Rpt | | |
| ✓ UCCJEA | Court Investigator Dina Calvillo's report filed 09/14/2012. | |
| Citation | | Reviewed by: KT / LV |
| FTB Notice | | Reviewed on: 09/14/2012 |
| | | Updates: |
| | | Recommendation: |
| | | File 13A - Lee |

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| DOD: 10/26/2009 Cont. from 080912 <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;"></td> <td style="width: 15%;">Aff.Sub.Wit.</td> <td style="width: 5%;"></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Verified</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Inventory</td> <td></td> </tr> <tr> <td></td> <td>PTC</td> <td></td> </tr> <tr> <td></td> <td>Not.Cred.</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Notice of Hrg</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Aff.Mail</td> <td></td> </tr> <tr> <td></td> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td></td> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td></td> <td>Pers.Serv.</td> <td></td> </tr> <tr> <td></td> <td>Conf. Screen</td> <td></td> </tr> <tr> <td></td> <td>Letters</td> <td></td> </tr> <tr> <td></td> <td>Duties/Supp</td> <td></td> </tr> <tr> <td></td> <td>Objections</td> <td></td> </tr> <tr> <td></td> <td>Video Receipt</td> <td></td> </tr> <tr> <td></td> <td>CI Report</td> <td></td> </tr> <tr> <td></td> <td>9202</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Order</td> <td></td> </tr> <tr> <td></td> <td>Aff. Posting</td> <td></td> </tr> <tr> <td></td> <td>Status Rpt</td> <td></td> </tr> <tr> <td></td> <td>UCCJEA</td> <td></td> </tr> <tr> <td></td> <td>Citation</td> <td></td> </tr> <tr> <td></td> <td>FTB Notice</td> <td></td> </tr> </table> | | Aff.Sub.Wit. | | ✓ | Verified | | ✓ | Inventory | | | PTC | | | Not.Cred. | | ✓ | Notice of Hrg | | ✓ | Aff.Mail | | | Aff.Pub. | | | Sp.Ntc. | | | Pers.Serv. | | | Conf. Screen | | | Letters | | | Duties/Supp | | | Objections | | | Video Receipt | | | CI Report | | | 9202 | | ✓ | Order | | | Aff. Posting | | | Status Rpt | | | UCCJEA | | | Citation | | | FTB Notice | | RACHEL LEWIS , daughter, is Petitioner. 40 days since DOD No other proceedings I&A - \$55,020.00 Decedent died intestate. Petitioner requests Court determination that decedent's interest in real property located at 1583 W. Hawes, Fresno, Ca. 93706 and money pass to Rachel Lewis pursuant to intestate succession. | NEEDS/PROBLEMS/COMMENTS: Court continued the matter to allow the petitioner to rectify the deficiencies however as of this review nothing has been rectified. <ol style="list-style-type: none"> 1. Petition was filed using a fee waiver. Filing fees are considered by the Court to be a cost of the Administration therefore a filing fee of \$395 must be paid prior to the Court signing an order to pass the property. 2. #9a(1) of the petition indicates that the decedent's spouse is deceased. Pursuant to Local Rule 7.1.1D the name and date of death of the decedent's spouse is required. 3. #9a(2) of the petition is incomplete as to whether the decedent is survived by children either natural or adopted, natural adopted by a third party or no child. 4. The Petition lists Robert Gamble, Jr. but does not state relationship to the decedent. If this individual is an heir then pursuant to Probate Code § 13152 all who succeed to the property must petition. 5. Inventory and Appraisal is not signed by Petitioner, Rachel Lewis. 6. Attachment 11 does not provide the decedent's interest in the real property. 7. Order is incomplete at #9a regarding the personal and real property. Please describe the property including the legal description. The Order is also incomplete at #9b regarding each petitioner's name and specific property interest. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Reviewed by: KT / LV</td> </tr> <tr> <td>Reviewed on: 09/14/2012</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 14 - Lewis</td> </tr> </table> | Reviewed by: KT / LV | Reviewed on: 09/14/2012 | Updates: | Recommendation: | File 14 - Lewis |
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| File 14 - Lewis | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

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| Age: 4 months | | TEMPORARY GRANTED EX PARTE EXPIRED 8-6-12. (No appearance by Petitioner at hearing on temporary petition 8-6-12.) LEON FERGUSON, JR., Maternal Uncle, is Petitioner. Father: JAVONNI LAVENDER - Consent and Waiver of Notice filed 7-23-12 Mother: GLORIA BUSH - Consent and Waiver of Notice filed 7-23-12 Paternal Grandfather: Deceased Paternal Grandmother: Tasha Maternal Grandfather: Charles Bush - Consent and Waiver of Notice filed 7-23-12 Maternal Grandmother: Anita D. Mitchell - Consent and Waiver of Notice filed 7-23-12 Petitioner states the parents don't have any income to support the child. The child has a heart murmur and there are drugs being used in the house. Petitioner states the child's skin is breaking out and the parents don't have medicine for the child and his skin is getting worse. Objection filed 7-25-12 by Javonni Lavender (Father) states he has not presented any issue that would show that he is not willing to care for his child. Father states he has a stable residence and strong family support. He is currently seeking employment. He has filed for public assistance to care for the child. At the time of filing the consent for, he was not aware what it was. Court Investigator Julie Negrete filed a report on 9-12-12. A DSS report pursuant to Probate Code §1513(c) is pending. | NEEDS/PROBLEMS/COMMENTS: Minute Order 8-6-12: No Appearance by petitioner. Javoni Lavender (Father) does not agree with the guardianship. Contact information provided for Father and great- grandmother. Temporary Letters are not extended. General hearing set for 9/20/12. 1. A report from DSS pursuant to Probate Code §1513(c) is pending. The Court may require continuance for the report to be filed. 2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing pursuant to Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Paternal Grandmother Tasha (last name not provided) | |
| DOB: 5-18-12 | | | | |
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Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)

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| Age: 3 DOB: 03/19/2009 | | GENERAL HEARING 11/06/2012 | | NEEDS/PROBLEMS/COMMENTS: | |
| | | LUCY GALLARDO , paternal aunt, is petitioner. | | Paternal Grandmother, Irene Gallardo, filed a competing petition on 09/17/2012. The temporary hearing is set for 10/01/2012. | |
| | | Father: RICHARD GALLARDO , personally served on 09/16/2012. | | 1. Need proof of personal service five (5) Court days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Stacy Argumedo (Mother)- Unless the Court dispenses with notice. | |
| Cont. from | | Mother: STACY ARGUMEDO , declaration of due diligence filed 09/19/2012. | | Note: Declaration of Due Diligence states that the petitioner made contact with the maternal grandfather inquiring of the mother's whereabouts, he stated he did not know a specific address but believed she was to be residing in Selma, Ca. Petitioner also attempted contact through Facebook via a coworker but has not received a response. | |
| | Aff.Sub.Wit. | | | | |
| ✓ | Verified | | | | |
| | Inventory | | | | |
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| | Objections | | | | |
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| | CI Report | | | | |
| | 9202 | | | | |
| ✓ | Order | | | | |
| | Aff. Posting | | | | |
| | Status Rpt | | | | |
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| | FTB Notice | | | | |
| | | Paternal Grandfather: Rene Gallardo, Deceased Paternal Grandmother: Irene Gallardo Maternal Grandfather: Mr. Argumedo Maternal Grandmother: Unknown | | | |
| | | Petitioner states: she is concerned for the safety of the child because the paternal grandmother is threatening to take the child away from the petitioner. Paternal grandmother, Irene Gallardo, has medical issues and takes prescription drugs. The father, Richard Gallardo, is a known drug addict with no means of caring for her. He has been arrested in the state of Oregon for transporting drugs and also arrested in Selma, Kingsburg and Fresno on various drug related charges. Petitioner has been caring for the child since 04/07/2010 when the father rang her doorbell and asked if she wanted the child. Petitioner states the mother also has a drug addiction. | | | |
| | | Petitioner requests that notice to the mother be waived as mother is out on the streets and petitioner has no idea of her whereabouts. | | | |
| | | | | Reviewed by: KT / LV Reviewed on: 09/18/2012 Updates: 09/19/2012 Recommendation: File 16 - Gallardo | |

Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)

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|---------------------------|----------------------|--|--|---|--|
| Age: 1 DOB: 12/15/2011 | | GENERAL HEARING 11/06/2012 | | NEEDS/PROBLEMS/COMMENTS: | |
| | | MADELINE LOPEZ , maternal grandmother, is petitioner. | | 1. Need proof of service five (5) Court days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration for: <ul style="list-style-type: none"> Father (Unknown) – Unless the Court dispenses with notice. Note: Declaration of Due Diligence filed 09/14/2012 states that the father of the minor is unknown, no name is on the birth certificate and the mother has not given the name. | |
| | | Father: UNKNOWN , Declaration of Due Diligence filed 09/14/2012 | | 2. UCCJEA does not provide the residence of the child since birth as required. | |
| Cont. from | | Mother: CRYSTAL MEDELLIN , personally served on 09/07/2012 | | | |
| | Aff.Sub.Wit. | | Paternal Grandparents: Unknown, Declaration of Due Diligence filed on 09/14/2012 | | |
| ✓ | Verified | | Maternal Grandfather: Ruben Medellin, served by mail on 09/07/2012 | | |
| | Inventory | | Petitioner states: mother is living in unsafe conditions, she lives in a basement with no running water. Mother is also known to be a drug user and refuses to go to rehab for assistance. She has no income to care for the child at this time. Guardianship is needed for the safety of the child and for medical needs. | | |
| | PTC | | Petitioner requests notice to the father be excused as he is unknown and there is no name on the birth certificate. | | |
| | Not.Cred. | | | | |
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| | | | | Recommendation: | |
| | | | | File 17 - Medellin | |